



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 23, 1997

**BY FACSIMILE AND HAND-DELIVERY**

Frank M. Northam, Esq.  
Webster, Chamberlain & Bean  
1747 Pennsylvania Ave., N.W., Suite 1000  
Washington, D.C. 20006

RE: MUR 3774  
National Right to Work Committee

Dear Mr. Northam:

This letter confirms our phone conversation yesterday regarding the National Right to Work Committee's ("NRTWC") refusal to respond to Interrogatory No. 3 and Document Request No. 3 of the Commission's February 11, 1997 Subpoena and Order. Those discovery requests seek certain information concerning NRTWC's activities during a three-month period in 1992 that referenced federal candidates or federal elections, such as direct mailings, candidate surveys or questionnaires and get-out-the-vote phone calls. The NRTWC objects to providing such information, maintaining that the discovery requests, are *inter alia*, constitutionally overbroad and vague.

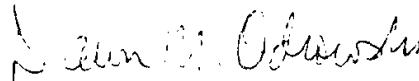
In discussions last week with Steve Hershkowitz, Assistant General Counsel for Litigation, NRTWC proposed that, in lieu of providing the information sought in the two discovery requests, it would verify whether or not it distributed particular mailings if the FEC provides copies of those mailings. As we discussed yesterday, such a response is unacceptable. Although the Commission views the two discovery requests to be narrowly drawn in that they are limited to a discrete three month period and involve only a narrow range of activities, I attempted yesterday to further delineate for NRTWC the kind of information we are seeking. Specifically, as we discussed, Interrogatory No. 3 seeks a specific category of information: public communications financed, distributed or produced by the NRTWC during October and December 1992 that in any way reference 1992 federal candidates or 1992 federal elections. Examples of such types of communications, as noted in Interrogatory No. 3, include direct mailings, voter guides, candidate questionnaires or surveys and get-out-the vote phone banks. Interrogatory No. 3 also requests the date and cost of each such communication/activity. Similarly, Document Request No. 3 seeks documents relating to or referencing those public communications/activities such as GOTV phone scripts, candidate surveys/questionnaires, copies of mailings or letters, and invoices, and, letters or memos referencing these activities.

In addition to the responses to Interrogatory and Document Nos. 3, we note that NRTWC's response to Interrogatory No. 1d, does not adequately identify the NRTWC officials and employees with knowledge of the CFA checks. In accordance with the Subpoena/Order instructions, please provide the most recent address, the telephone numbers, and present occupation or position of Reed Larson, Karl Gallant and Maureen Fallon.

As we discussed, you agreed to speak to your client to determine whether they will produce the information sought in Interrogatory and Document Request Nos. 3 as outlined above. Please provide the information requested in Interrogatory and Document Request Nos. 3 as well as the identification information requested above, or advise us that NTRWC does not intend to do so, by Monday, April 28. As you know, since the Commission has already authorized us to file a civil suit for subpoena enforcement, we will proceed to do so unless we receive a response by that time.

Please call me at (202) 219-3400 should you have any questions.

Sincerely,



Dawn M. Odrowski  
Attorney